



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Quantz et al. Confirmation No.: 3340
Appl. No.: 10/715,194 Group Art: 1761
Filed: November 17, 2003 Examiner: T. F. Simone
For: HIGH PRODUCTION NUTCRACKING APPARATUS WITH SEALED
LUBRICATION SYSTEM

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENT REGARDING EXAMINER'S STATEMENT OF
REASONS FOR ALLOWANCE

Sir:

On page 2 of the Notice of Allowability, the Examiner has summarized the oil recovery system of the sealed lubrication system as including an oil tank which is divided by a porous baffle plate. It is assumed that the Examiner recognizes that the invention as defined in Claim 1 does not require a porous baffle plate, and that this feature is recited only in Claims 2 and 13.

Respectfully submitted,

Charles B. Elderkin
Registration No. 24,357

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111
#4651289v1

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 8, 2004

Joyce D. Smith